

Remarks

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

The specification and abstract have been reviewed and revised to make a number of editorial revisions. Due to the number of changes involved, a substitute specification and abstract have been prepared and are submitted herewith. No new matter has been added.

Figures 7-9(b) have been objected to as not being labeled as "Prior Art." Replacement Figures 7-9(b) labeled as "Prior Art" are enclosed herewith. No new matter has been added. As a result, withdrawal of the objection to the drawings is respectfully requested.

Claim 12 has been objected to as not further limiting a previous claim. Claim 12 has been amended so as to address this objection. As a result, withdrawal of the objection to claim 12 is respectfully requested.

Claims 1-12 have been rejected under 35 U.S.C. §102(b) as being anticipated by Hedberg (US 4,724,495). Claims 1, 4 and 5 have been amended so as to further distinguish the present invention from the reference relied upon in the rejection.

Further, claims 1-12 have been amended to make a number of editorial revisions. These revisions have been made to place the claims in better U.S. form. None of these amendments have been made to narrow the scope of protection of the claims, nor to address issues related to patentability and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

The above-mentioned rejection is submitted to no longer be applicable to the claims for the following reasons.

Claim 1 is patentable over Hedberg, since claim 1 recites an information recording/reproduction device including, in part, a recording/reproduction circuit operable to record data on a disk or reproduce the data from the disk, wherein when the recording/reproduction circuit is to record or reproduce a predetermined sector number of second data based on an issuance of a recording command or a reproduction command, respectively, immediately after a predetermined sector number of first data is recorded or reproduced:

successively from a position on the disk where recording or reproduction of the second data has become possible with the issuance of the recording command or the reproduction command, the recording/reproduction circuit records the second data from the predetermined

sector number in respectively corresponding recording positions on the disk or reproduces the second data from the predetermined sector number which are recorded in the respectively corresponding recording positions on the disk, respectively, and

after the recording or reproduction of the second data from the predetermined sector number, with respect to a portion of the second data prior to the predetermined sector number which has not been recorded or reproduced, the recording/reproduction circuit records the portion of the second data in respectively corresponding recording positions on the disk or reproduces the portion of the second data which are recorded in the respectively corresponding recording positions on the disk, respectively, at a next rotation of the disk. Hedberg fails to disclose or suggest the recording/reproduction circuit of claim 1.

Hedberg discloses a recording system that has two independent actuators and head assemblies A and B for reading from and writing to a disk stack 20. The recording system also includes a controller that controls the actuators A and B to skip tracks on the disk that were previously found to contain media errors by referring to permanent flaw map memories and computing new address locations. (See column 6, lines 1-52; column 9, lines 40-66; column 11, line 55 - column 13, line 45; and Figures 1A-2 and 7).

It is apparent from the disclosure of Hedberg that the controller therein is capable of skipping over tracks that contain errors while recording data in a continuous manner. However, claim 1 recites that the recording/reproduction circuit records (reproduces) the second data from the predetermined sector number in (from) respectively corresponding recording positions on the disk, and then records (reproduces) the portion of the second data prior to the predetermined sector number which has not been recorded (reproduced) in respectively corresponding recording positions on the disk at a next rotation of the disk. In other words, the claimed recording/reproduction circuit records (reproduces) the portion of the second data prior to the predetermined sector number after recording (reproducing) the portion of the second data from the predetermined sector number on. This is clearly different than skipping over a bad track of a disc during recording as the controller of Hedberg is disclosed as being capable of doing. As a result, it is apparent that claim 1 is not disclosed or suggested by Hedberg.

As for claims 4 and 5, they are patentable over Hedberg for reasons similar to those discussed above in support of claim 1. That is claims 4 and 5 each disclose, in part, recording (reproducing) second data from a predetermined sector number and then recording (reproducing)

a portion of the second data prior to the predetermined sector number which has not been recorded (reproduced) at a next rotation of the disk, which features are not disclosed or suggested by Hedberg.

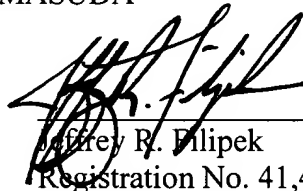
Because of the above-mentioned distinctions, it is believed clear that claims 1-12 are not anticipated by Hedberg. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to modify Hedberg or to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1-12. Therefore, it is submitted that claims 1-12 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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